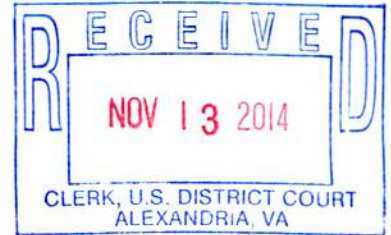


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



MARK RYAN ALLEN, SCOTT BIMBA,
DAVID BLACKWELL, MATTHEW
BOYCE, SCOTT CARLISLE, RAYMOND S.
FRY III, DANIEL KLEIN, TIM LANE,
RYAN MCGOUGH, NICHOLAS ROSS,
REGINALD SIMPSON, SPIROS MYLES
THEODORE, JEFF WHITE, JACKSON
HOU, ERIC RINKER, HARMANDEEP
SINGH, STEVEN W. WRIGHT JR., MICHAEL
BEST, BRETT SAMPSON, BRYAN
MURPHY, GEORGE BARKSDALE,
JOSHUA BAFALIS, and KEVIN FRYE,

Plaintiffs,

v.

COGENT COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 1:14-cv-00459-JCC-TRJ

**ORDER APPROVING SETTLEMENTS AND DISMISSAL OF CLAIMS OF
PLAINTIFFS ALLEN, BAFALIS, BARKSDALE, BIMBA, BLACKWELL, BOYCE,
CARLISLE, FRYE, KLEIN, MCGOUGH, MURPHY, RINKER, SAMPSON,
SIMPSON, SINGH, THEODORE, WHITE, AND WRIGHT WITH PREJUDICE**


Plaintiffs Mark Ryan Allen, Joshua Bafalis, George Barksdale, Scott Bimba, David Blackwell, Matthew Boyce, Scott Carlisle, Kevin Frye, Daniel Klein, Ryan McGough, Bryan Murphy, Eric Rinker, Brett Sampson, Reginald Simpson, Harmandeep Singh, Spiros Myles Theodore, Jeff White, and Steven W. Wright Jr. and Defendant Cogent Communications, Inc. have filed an Agreed Motion to Approve Settlements and Joint Stipulation for Dismissal of Plaintiffs Allen, Bafalis, Barksdale, Bimba, Blackwell, Boyce, Carlisle, Frye, Klein, McGough, Murphy, Rinker, Sampson, Simpson, Singh, Theodore, White, and Wright With Prejudice. As part of the Agreed Motion, the Parties submitted for this Court's *in camera* review eighteen individual settlement agreements, one for each aforementioned named Plaintiff.

The Court, after reviewing the settlement agreements submitted *in camera* in conjunction with the Agreed Motion, finds them to be consistent with legal and equitable principles, reasonable and acceptable in their particulars, and intended to further the ends of justice and protect the rights of the Parties.

The Court concludes that the settlements between Defendant and each of the aforementioned named Plaintiffs constitute fair and reasonable resolutions of bona fide disputes under the provisions of the Fair Labor Standards Act. Accordingly, it is hereby ORDERED that the Agreed Motion is GRANTED and the settlement agreements submitted *in camera* are APPROVED. Consistent with the terms of the settlements, the claims of Plaintiffs Allen, Bafalis, Barksdale, Bimba, Blackwell, Boyce, Carlisle, Frye, Klein, McGough, Murphy, Rinker, Sampson, Simpson, Singh, Theodore, White, and Wright are **DISMISSED WITH PREJUDICE**, with the parties to bear the costs and fees as set forth in the settlement agreements.

It is so ORDERED.

SIGNED this 13th date of November, 2014.

 /s/
James C. Cacheris
United States District Judge
JAMES C. CACHERIS
UNITED STATES DISTRICT JUDGE